

REMARKS

I. Status of claims

Claims 37-52 are pending in this application, By this Amendment, claims 35 and 36 have been canceled and new claims 37-52 have been added. Applicant's specification fully supports these amendments. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

II. Claim Rejections

A. Rejection under 35 U.S.C. §112

Claims 35 and 36 have been rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Claims 35 and 36 have been canceled thereby rendering the rejection moot. All of claims 37-52 find support in the originally filed application. Accordingly, withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

B. Rejection under 35.U.S.C. §102(e) of claims 35 and 36

Claims 35 and 36 have been rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,243,688 to Kalina. This rejection is respectfully traversed as it may be applied to the currently pending claims.

Kalina fails to disclose each and every feature of the pending claims. Kalina discloses a system in which a consumer implements a purchase award account to purchase an investment vehicle. When a pre-assigned award accumulation is reached, the system converts the award to a cash value and the system purchases an investment vehicle.

Kalina fails to disclose several features of independent claim 37. For example, Kalina fails to disclose a computerized method for implementation of multiple accounts, wherein a

recipient of an offer for multiple accounts accepts the offer for multiple accounts and becomes an approved cardholder. Kalina fails to disclose establishing a card payment instrument account through a card issuer for the approved cardholder in response to the acceptance, wherein the card payment instrument account includes a reward feature available to the cardholder and automatically creating an investment account for the approved cardholder through a financial institution in response to the acceptance.

Kalina does not automatically create an investment account for an approved cardholder upon the cardholder's acceptance of an offer for multiple accounts as required by the independent claims of the pending application. Instead, Kalina purchases an investment vehicle for a consumer when the consumer has sufficient reward points to make the purchase. See Column 4, lines 56-64 of Kalina.

Furthermore, Kalina fails to disclose depositing the monetary reward amount generated by the reward feature into the investment account at a predetermined time interval. Instead, transfer of funds in Kalina is based upon reaching a predetermined level of points. See Column 6, lines 19-22 of Kalina.

For at least these reasons, Kalina fails to anticipate claim 37 of the pending application. Independent claims 44 and 51 define over Kalina for similar reasons. Dependent claims 38-43, 45-50, and 52 include further distinctive features of the invention and define over the art of record for at least the reasons set forth above.


III. Conclusion

As set forth above, applicant respectfully submits that all claims are in condition for allowance. Withdrawal of all rejections and prompt passage to issuance are earnestly requested. In the event Applicants have overlooked the need for an extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefore and authorize that any charges be made to Deposit Account No. 07-1700.

Should the Examiner have any questions regarding any of the above, the Examiner is respectfully requested to telephone the undersigned at 202-346-4016.

Respectfully submitted,

By:

  
Kerry H. Owens  
Registration No. 37,412

Goodwin|Procter LLP  
901 New York Ave., N.W.  
Washington, D.C. 20001  
(202) 346-4000

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